

24024

CERTIFICATE OF MAILING

I hereby certify that this SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 27th day of March, 2006.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Warman, et al.

Serial No.: 09/931,375

Filed: August 17, 2001

For: **REGULATOR GENE AND SYSTEM
USEFUL FOR THE DIAGNOSIS AND
THERAPY OF OSTEOPOROSIS**



) Examiner: Seharaseyon, Jegatheesan

)

)

) Art Unit: 1647

)

) Confirmation No.: 1602

)

) Attorney Docket No.: 27708/04049

)

)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This information disclosure statement is being filed with a Request for Continued Examination (RCE). Applicants wish to disclose the following information:

REFERENCES

- ☒ The Applicants wish to make of record the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ Listed on the attached PTO/SB/08A and PTO/SB/08B is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be

understood as being, an admission that such information, in fact, constitutes "prior art" within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☐ This information disclosure statement is being filed within three months of the filing of the within application and/or **prior to a first Office Action** on the merits being received.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☒ A check is attached in the amount of \$180.00 required under 37 § 1.17(p).
- ☐ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: March 27, 2006

By: Kristin J. Frost
Kristin J. Frost, Reg. No. 50,627
(216) 622-8895

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Complete if Known

Application Number	09/931,375
Filing Date	August 17, 2001
First Named Inventor	Matthew L. Warman
Art Unit	1647
Examiner Name	Seharaseyon, Jegatheesan
Attorney Docket Number	27708/04049

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/931,375
Filing Date	August 17, 2001
First Named Inventor	Matthew L. Warman
Art Unit	1647
Examiner Name	Seharaseyon, Jegatheesan
Attorney Docket Number	27708/04049

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Australian Examiner's First Report on Patent Application Number 2001295010 dated February 8, 2006.	
		Supplementary Partial European Search Report dated July 26, 2004.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.